

**VESTING TENTATIVE TRACT MAP NO. 61252 FINDINGS**  
**CASE NO. 0404-13**  
**(Draft prepared for the October 7, 2004 Planning Commission hearing)**

**(a) THE PROPOSED MAP IS CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS**

Implementation of the Project will require certain new ordinances and amendments to the City's General Plan including: a new Planned Development District (PD-32) including PD-32 Development Standards, an amendment to an existing Planned Development District (PD-19), a Development Agreement, certain amendments to the General Plan, an amendment to the City of Long Beach Noise Ordinance, and Douglas Park PD-32 Design Guidelines. No other specific plan in the City applies to the Project site.

As addressed in greater detail in the Environmental Impact Report prepared in connection with the Project, which analyzed the environmental effects of the Project pursuant to the California Environmental Quality Act (Public Resources Code Section 21000 *et seq.*) ("CEQA"), (the "EIR"), the Project advances the goals and policies of the Long Beach General Plan, except as or where modifications have been proposed and are being considered in connection with the Project approvals. With actions approving those new ordinances and amendments, the proposed map will be consistent with the Long Beach General Plan, including applicable zoning requirements and land use designations.

The Project will also result in development compatible with surrounding land uses, and supportive of the goals of the Long Beach General Plan and the Long Beach Strategic Plan. The Project will revitalize and redevelop the area, eliminate blight and deterioration, encourage new private sector investment, create new job opportunities, create new residential opportunities in proximity to existing and new commercial and employment centers, and facilitate the installation and expansion of required infrastructure, including utilities, streets, parks and recreational open space and landscaping.

The EIR contains a lengthy analysis of the Project's consistency with the Long Beach General Plan, and its goals and policies intended to guide the City's planning decisions. The Long Beach General Plan includes the seven "elements" required under state law, which analysis is incorporated herein by reference, as well as Seismic Safety and Air Quality elements. The two most recently adopted elements are Housing and Recreation and Open Space. As set forth in the EIR, the Project is consistent with the goals and policies set forth in the Long Beach General Plan.

With regard to Housing in particular, the Project will support the City's goals and policies by, among other things, creating 1,400 units of new housing including a mix of for-sale and rental housing, as well as a variety of housing product types ranging from single

family homes to townhomes, townhome/flat combinations, row houses, condominiums, and up to 400 apartments, as well as contributing \$3 million to the City in the form of "Housing Payment" fees for use throughout the City in support of its affordable housing goals and policies.

With regard to Open Space and Recreation, the Project will include the creation of 10.5 acres of park space, and an additional 2.5 acres for view corridors, bike paths, and public pedestrian easements. Park space will be located in several neighborhood parks, and a larger, central park. Recreational amenities will also include open lawns, playgrounds, park furnishings, basketball courts and other hardscaped sports facilities, a pool, spa, and pedestrian and bike paths. In addition to on-site parks and open space, the Applicant will pay park and recreation impact fees to the City to be used by the City to acquire additional park space and recreation improvements. Together with the new on-site parks and recreational open spaces, the payment of such impact fees advances the goals and policies set forth in the Open Space and Recreational Element of the General Plan, including the advancement of its city-wide objective of creating 8 acres of public open space per 1,000 residents.

**(b) THE DESIGN AND IMPROVEMENT OF THE PROPOSED SUBDIVISION ARE CONSISTENT WITH APPLICABLE GENERAL AND SPECIFIC PLANS**

Vesting Tentative Tract Map No. 61252, as conditioned, makes provision for all aspects of "design" and "improvement" (as such terms are defined in the Subdivision Map Act) that are required to be consistent with the Long Beach General Plan, as amended pursuant to the Project approvals described above in section (a). Those include the requisite: street work and utilities to be installed or agreed to be installed for public or private streets, highways, ways, and easements; street alignments, grades, and widths; drainage and sanitary facilities and utilities (including alignments and grades thereof); location and size of required easements and rights-of-way; fire roads and firebreaks; lot size and configuration; traffic access; grading; land to be dedicated for parks or recreational purposes; and such other physical requirements or improvements needed to ensure consistency or implementation of the Long Beach General Plan (as amended).

**(c) THE PROJECT SITE IS PHYSICALLY SUITABLE FOR THE PROPOSED TYPE AND DENSITY OF DEVELOPMENT**

The Project site lies within the Downey Plain, a relatively flat alluvial coastal plain within the Los Angeles Basin. Elevations throughout the site have a total difference in elevation of about 20 feet, making it relatively flat with little topographic relief. Grading and construction will comply with applicable code requirements and project implementation will not cause unstable soil conditions, and erosion potential will be eliminated or reduced through the required use of best management practices.

Individual buildings, commercial and residential, will be constructed in accordance with established height restrictions and setbacks in the PD-32 Development Standards, and

PD-32 Design Guidelines will establish standards for exterior design including landscape, signage and lighting, thereby resulting in a visually compatible, cohesive site. The Project site is physically suitable for the density of development approved in connection with Vesting Tentative Tract Map No. 61252. For example, development in "commercial" areas within the Project site will have an average Floor Area Ratio of only 0.55 (3.3 million square feet within 137 acres). Density in the residential sub areas of the site will range from 10 dwelling units per acre to a maximum of 50 dwelling units per acre. The Project also reflects a reduction in residential density agreed to by the Applicant based upon public comment and feedback. Previous proposals would have resulted in a total of 2,500 new dwelling units rather than the 1,400 units as reflected in the Douglas Park Development Agreement and the Douglas Park Planned Development (PD-32).

Although the Project is located within a region subject to seismic events, development of the Project is not expected to expose people or structures to a higher level of risk from ground-shaking or surface rupture than would otherwise occur in other parts of the region. Existing hazardous materials will be removed subject to a risk management plan that includes measures to ensure the health and safety of Project residents, employees, and construction workers.

**(d) THE DESIGN OF THE SUBDIVISION OR THE PROPOSED IMPROVEMENTS ARE NOT LIKELY TO CAUSE SUBSTANTIAL ENVIRONMENTAL DAMAGE OR SUBSTANTIALLY AND AVOIDABLY INJURE FISH OR WILDLIFE IN THEIR HABITAT**

The Project site has been developed and used as an aircraft manufacturing facility since the 1940's; approximately 98 percent of the site is covered by impervious surfaces; the remaining areas are scattered and do not support biological resources. There are no biological resources on the site that are protected by federal, state, or local policy or ordinance or by adopted habitat conservation plans. Therefore, the design and the proposed improvements set forth in Vesting Tentative Tract Map No. 61252 are not likely to substantially and unavoidably injure fish or wildlife in their habitat.

Pursuant to CEQA, the environmental impacts of the Project were analyzed in detail in the EIR. The potentially significant impacts of the Project are addressed there, and in the Statement of Overriding Considerations and CEQA findings of fact associated with the EIR and adopted by the Planning Commission in connection with the certification of the EIR. Based upon that analysis and those findings, the unmitigatable impacts of the Project overall do not constitute "substantial environmental damage," and the design and proposed improvements set forth in Vesting Tentative Tract Map No. 61252 are not likely to cause substantial environmental damage. Where significant impacts were identified in the EIR, the Planning Commission has adopted the requisite findings pursuant to Public Resources Code Section 21081, including Section 21081(a)(3).

**(e) THE DESIGN OF THE SUBDIVISION OR THE TYPE OF IMPROVEMENTS ARE NOT LIKELY TO CAUSE SERIOUS PUBLIC HEALTH PROBLEMS.**

The EIR identified no significant unmitigated impacts to public health. As reflected in the EIR, existing hazardous materials will be removed in accordance with Los Angeles Regional Water Quality Control Board requirements, and the construction and future operation of the Project will be subject to a risk management plan that includes measures to ensure the health and safety of Project residents, employees, and construction workers. New land uses may lead to the introduction and storage of additional hazardous materials, all of which will be subject to applicable regulations and implemented under contract with a business that specializes in removal and disposal of hazardous waste. Pursuant to the EIR, Project features also address airport safety in compliance with Federal Aviation Administration and other applicable regulations. And the existing onsite sewer infrastructure will be replaced by a new system designed to provide adequate service to the Project, and the Project's wastewater can and will be treated within the capacity of the Los Angeles County Sanitation District. As indicated in section (c) above, the Project site is physically suitable for the Project, and appropriate building and construction practices will be required.

**(f) THE DESIGN OF THE SUBDIVISION OR THE TYPE OF IMPROVEMENTS WILL NOT CONFLICT WITH EASEMENTS, ACQUIRED BY THE PUBLIC AT LARGE, FOR ACCESS THROUGH OR USE OF, PROPERTY WITHIN THE PROPOSED SUBDIVISION**

Vesting Tentative Tract Map No. 61252 will not conflict with easements for public access or use, as any existing easements have been incorporated into the Project in their current location or will be relocated to fit with the design of the map pursuant to agreements between the Applicant and the applicable easement holder. Additional easements for access and use as may be needed or required are further incorporated into Vesting Tentative Tract Map No. 61252 and have been or will be granted accordingly to the appropriate subdivision of the City of Long Beach, County of Los Angeles, or State of California, or to any other applicable easement holder providing public works, utility, or other like services to, from, or through the site.

**(g) THE DISCHARGE OF WASTE FROM THE PROPOSED SUBDIVISION INTO THE EXISTING COMMUNITY SEWER SYSTEM WOULD NOT RESULT IN A VIOLATION OF EXISTING REQUIREMENTS PRESCRIBED BY A CALIFORNIA REGIONAL WATER QUALITY CONTROL BOARD PURSUANT TO DIVISION 7 OF THE STATE WATER CODE**

A sewer study was conducted as part of the EIR analyzing local and regional sewer services and infrastructure. A new sewer system will be constructed as part of the Project to provide adequate sewer service for future development, and all sewers within the boundaries of Vesting Tentative Tract Map No. 61252 will be consistent with City of Long Beach and County of Los Angeles requirements, including the incorporation of measures to prevent backflows and disruption to upstream users during installation of

pipeline improvements or new sewer infrastructure on the Project site. As noted in Section (e) above, the Project's wastewater can and will be treated within the capacity of the Los Angeles County Sanitation District.

**(h) THE PROJECT AS SET FORTH IN VESTING TENTATIVE TRACT MAP NO. 61252 HAS AN ADEQUATE WATER SUPPLY**

The Project incorporates residential development on a site located within an urbanized area and which has been previously developed for urban uses, within the meaning of Government Code Section 66473.7(i). All of the immediate contiguous properties surrounding the Project site are and have previously been developed for urban uses, also within the meaning of Government Code Section 66473.7(i). Therefore, the requirement to provide written verification of an adequate water supply would not apply to the Project. Nonetheless, pursuant to Water Code Section 10910 *et seq.*, the Long Beach Water Department ("LBWD") has prepared a written water supply assessment, which finds that LBWD will be able to meet the water demands associated with the Project. Government Code Section 66473.7 requires written verification from the applicable water supply agency that there shall be a sufficient water supply for the Project and requires that the written verification be supported by substantial evidence. Such substantial evidence may include the most recently adopted Urban Water Management Plan or a water supply assessment prepared pursuant to Water Code section 10910 *et seq.* The assessment prepared by LBWD in connection with the Project, which is based, in part, on LBWD's most recently adopted Urban Water Management Plan, constitutes written verification supported by substantial evidence that the requirements of Government Code Section 66473.7 have been satisfied.

**(i) THE DESIGN OF THE PROPOSED SUBDIVISION WILL PROVIDE, TO THE EXTENT FEASIBLE, FOR FUTURE PASSIVE OR NATURAL HEATING OR COOLING OPPORTUNITIES IN THE SUBDIVISION**

The Project will be developed in compliance with Design Guidelines approved in connection with the Project approvals, and which take into consideration the local climate, contours, configuration of the parcels to be subdivided and other design and improvement features. The existing topography, as discussed in section (c) above, is generally level, limiting the influence of such topography on passive or natural heating and cooling opportunities. Providing for passive or natural heating or cooling opportunities will not result in reducing allowable densities or the percentage of a lot that may be occupied by a building or structure under applicable planning and zoning provisions in effect at the time Vesting Tentative Tract Map No. 61252 was filed. The lot layout of the proposed subdivision maximizes the north/south orientation in order to take advantage of prevailing breezes.